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28th July 2017,

Stakeholder Submission RE: Initial Full Assessment Report, Marine Harvest Canada's Shelter Pass farm, by Acoura Marine

As per our recent correspondence, we are disappointed Acoura Marine failed to inform Living Oceans of the public consultation on the Shelter Pass draft audit report - despite our specific request to Acoura in 2016 to notify us as a stakeholder when draft reports are published on the ASC website. Therefore, we find it reasonable to request the public comment period be extended for a further 8 days (July 28th) and that our comments be taken into account before certification is granted.

Upon review of the draft Aquaculture Stewardship Council (ASC) audit for Marine Harvest Canada's Shelter Pass farm, conducted by Acoura Marine, Living Oceans has concerns about the robustness of the audit and believe that approving ASC certification of this farm would severely undermine the salmon standard established by the ASC.

Our comments and concerns are provided in detail below. We look forward to hearing how the Acoura Marine will address these outstanding concerns.

Sincerely,

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I. Process Requirements and Audit Findings

a) Minor Non-conformities: Requirement to close within 3-months

The updated CARv2.0 now requires minor nonconformities to be closed within 3 months (note: this was previously 12 months under CARv1.0):

17.10 Audit Findings

17.10.1.1 A minor non-conformity

- a) For initial certification, the CAB may recommend the applicant for certification once an action plan to address minor non-conformity(ies)...

iii. Within (3) three months the CAB shall:

- A. Confirm receipt of objective evidence that demonstrates that a satisfactory corrective action plan has been finalized.
- B. Confirm receipt of objective evidence that demonstrates that the corrective action plan has been implemented.
- C. Close the minor non conformity once it can confirm receipt of objective evidence that demonstrates conformity.**

The following raised non-conformities are listed as 'open' with a deadline for closing the nonconformity listed as 12 months: indicators 5.4.4 and 8.4. As per the CAR, these minor non-conformities are required to be closed within three months. We submit the CAB has failed to follow the CAR requirements.

II. Salmon Standard Requirements

a) Benthic sampling indicators 2.1.1; 2.1.2; 2.1.3

The draft audit report raises a Major Non-compliance against indicator 2.1.1 as peak biomass sampling was yet to be conducted. However, indicators 2.1.2 and 2.1.3 are listed as N/A as "due to non-conformance raised at 2.1.1".

Following the CAB's obligation to follow the ASC audit manual (CAR 17.3.1), we submit it is inappropriate for Acoura Marine to relieve the farm from indicator compliance. Indicators 2.1.2 and 2.1.3 ought to be equally have Major Non-conformities raised; due to the sampling and the associated results, as required by the standard and the audit manual, are not available to demonstrate compliance.

b) Indicator 2.2.3 For Jurisdictions that have national or regional coastal water targets...; and Indicator 2.2.4 Evidence of weekly monitoring...

ASC-approved variance request 198 states:

"Chile and Canada are amongst the salmon production regions which do not have such a national classification and therefore they are bound by indicator 2.2.4."

As acknowledged by the variance request, with no national water classification, Canadian farms are required to comply with Indicator 2.2.4. The Canadian Council of Ministers of the Environment (CCME) 2012 guidelines for water quality referenced here do not meet the definition of “national or regional water quality targets”. The ASC standard identifies nitrate, phosphorus and chlorophyll A (footnote 16) as the related nutrients for water quality targets. CCME guidelines only measure nitrate and cannot be used as evidence of “national water classification”.

In addition, the audit report fails to “identify the most recent classification of water quality for which the farm operates” (2.2.3c).

Therefore, we submit that the audit report fails to identify a national water classification that would enable the application of Indicator 2.2.3. The farm ought to be required to demonstrate compliance with Indicator 2.2.4; or an application should be made to apply the provisions of Variance 198 to this audit.

It is accordingly impossible for Indicator 2.2.3 to be evaluated as “Compliant” as the auditor has done; and incorrect to evaluate Indicator 2.2.4 as “Not Applicable”.

c) Indicator 3.1.1 Participation in an Area-Based Management (ABM) scheme for managing disease and resistance to treatments that includes coordination of stocking, fallowing, therapeutic treatments and information-sharing. Detailed requirements are in Appendix II-1

The audit report refers to Variance Request 145 for indicator 3.1.1 in aim that MHC can simply defer to current DFO management in the absence of an Area-Based Management (ABM) scheme. The Variance (#145) refers to a different BC salmon farming company, Mitsubishi/Cermaq and their farms located in a different area, Clayoquot Sound. Mitsubishi/Cermaq are the only company in Clayoquot Sound north of Tofino. This is unlike the MHC Discovery Island farms where another company operates (also Mitsubishi/Cermaq), therefore requiring area based coordination beyond company best management practices and DFO management. The variance is also specific to the ABM stocking requirement only.

Consequently, we submit the quoted variance request (145) is not applicable, as per our reasons outlined above.

In addition, we provide evidence in the form of a recent peer review study that shows DFO’s management policy to be inadequate for meeting ABM requirements for the application and rotation of treatments.

Appendix II-1 (Application and rotation of treatments) states: “Farmers must be able to demonstrate a coordinated treatment plan and evidence that the schedule and rotation of treatments are being implemented.”

Analysis by Bateman et al. (2016)¹ suggest the combination of unusual environmental factors and delayed management action by farms contributed to the factors leading to the 2015 Broughton Archipelago sea louse outbreak. The study found DFO sea lice management policy to be “not sufficient” and instead recommended a cooperative coordinated ABM approach be adopted. Specifically, the study observed a lack of coordination between farms, as demonstrated by the offset treatment schedules at some farms, including those owned by the same company.

Therefore, in the absence of a relevant variance request, and most notably, in the absence of participation in an ABM scheme (as detailed in Appendix II-1), Shelter Pass does not conform to Indicator 3.1.1.

d) Indicator 8.1 Compliance with local and national regulations on water use and discharge...

Indicator 8.1 is marked “compliant” and audit evidence simply lists the facilities’ licence numbers and expiry dates. Acoura Marine failed to assess the compliance of these facilities in regards to water use, quality and discharge. Indicator 8.1c requires “*Obtain records from smolt suppliers showing monitoring and compliance with discharge laws, regulations, and permit requirements as required*”.

Previous ASC audits for MHC’s Dalrymple Creek hatchery found “frequently fails to comply with Ministry of Environment (MOE) requirements for TSS and total phosphorus” (Phillips Arm ASC audit report). Numerous audit reports (including Marsh Bay, Bull Harbour, Duncan Island, Goat Cove, Glacier Falls and Monday Rock) refer to a 2014 letter by MOE deciding not to press enforcement, so long as progress is made by MHC with the installation of advanced treatment systems at the hatchery. However, the non-compliance with the ASC salmon standard indicator 8.1 remains, and is in fact confirmed by the letter, which only defers enforcement of the breach. The Phillips Arm audit report evidence stated MHC continues to submit monitoring data, as legally required, and no advanced treatment system has been installed.

Firstly, we submit the CAB failed to assess the compliance of the smolt facilities against indicator 8.1. Secondly, evidence from previous ASC audit reports show Dalrymple Creek has failed to demonstrate compliance with water use and discharge regulations. Therefore, we submit Dalrymple Creek hatchery ought to have a Major Non-conformance raised.

¹ Bateman, A, Peacock, SJ, Connors, B, Polk, Z, Berg, D, Krkošek, M & Morton, A 2016, 'Recent failure to control sea louse outbreaks on salmon in the Broughton Archipelago, British Columbia', *Canadian Journal of Fisheries and Aquatic Sciences*, vol. 73(8), pp.1164-1172.